

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 27, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-35521 - APPLICANT: NORA'S WINE BAR AND OSTERIA, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to all Minimum Requirements under LVMC Title 19.04.010 for a Beer/Wine/Cooler (On-and Off-Premise Sale Establishment).
2. Conformance to the conditions for Special Use Permit (SUP-5947) and Site Development Plan Review (SDR-5946) if approved.
3. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. Approval of this Special Use Permit does not constitute approval of a liquor license.
5. This business shall operate in conformance to Chapter 6.50 of the City of Las Vegas Municipal Code.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant Nora's Wine Bar and Osteria is proposing to expand their existing 3,430 square-foot Restaurant with Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) by 1,103 square feet at 1031 South Rampart Boulevard. The proposed expansion has necessitated the need for the subject Special Use Permit request. If denied, the proposed expansion of the existing use would not be permitted, but the existing Restaurant with Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) use would remain in its current condition. The proposed expansion is appropriate at this location; therefore staff is recommending approval of this request.

ISSUES

- The applicant is expanding the existing Restaurant with Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) by 1,103 square feet, which requires the subject Special Use Permit application.
- No Waivers are needed as a part of the subject application.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
01/17/01	The City Council approved a Site Development Plan Review [Z-0017-90(34)] for a 75,650 square-foot commercial center on the northwest corner of Charleston Boulevard and Rampart Boulevard. The Planning Commission and staff recommended approval of the request.
04/06/05	The City Council approved a Site Development Plan Review (SDR-5946) for a 737 square-foot expansion to an existing Shopping Center and a Special Use Permit (SUP-5947) for a Liquor Establishment (On and Off-Premise Sale of Beer and Wine) on 8.28 acres at 1031 South Rampart Boulevard. The Planning Commission and staff recommended approval of the requests.
<i>Related Building Permits/Business Licenses</i>	
1999	The subject Shopping Center was constructed in 1999 and has not changed ownership since construction.
08/16/02	A Building Permit (#2014948) was issued for a tenant improvement at 1031 South Rampart Boulevard. The permit was finalized on 10/09/02.
08/25/05	A Building Permit (#5006066) was issued for a 658 square-foot addition to an existing restaurant and a tenant improvement at 1031 South Rampart Boulevard. The permit was finalized on 05/18/06.
04/28/06	A Business License (#L11-00004) was issued for Beer/Wine/Cooler On-and-Off-Sale at 1031 South Rampart Boulevard.

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07/09/09	A Building Permit (#143142) was denied for a tenant improvement at 1031 South Rampart Boulevard. The permit is pending approval of the subject Special Use Permit application.
Pre-Application Meeting	
08/13/09	<p>A pre-application meeting was held on the indicated date to discuss the elements of a Special Use Permit application:</p> <ul style="list-style-type: none"> • A new Special Use Permit is required as the applicant is expanding the existing business by 1,103 square feet. • No Waivers are required as a part of the request.
Neighborhood Meeting	
A neighborhood meeting is not required, nor was one held.	
Field Check	
08/06/09	<p>A field check was completed on the indicated date. Planning and Development staff identified the following issues:</p> <ul style="list-style-type: none"> • Nora's Wine Bar currently exists on the subject site as Restaurant with Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) at 1031 South Rampart Boulevard.

Details of Application Request	
Site Area	
Net Acres	8.28 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
North	L.V.V.W.D. Pump Station	PF (Public Facilities)	C-V (Civic)
South	Shopping Center	M (Medium Density Residential) and SC (Service Commercial)	C-1 (Limited Commercial)
East	Shopping Center	SC (Service Commercial)	C-1 (Limited Commercial)
West	Single-Family Dwellings	M (Medium Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Peccole Ranch	X		Y

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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails (Multi-Use Non Equestrian)	X		Y
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Shopping Center	73,915 s.f.	1 space per 250 square feet of g.f.a	296	7	430	12	
Restaurant with Beer/Wine/Cooler (On-and Off-Premise Sale Establishment)	1,103 s.f. addition to existing 3,430 s.f. Restaurant		19	1			
TOTAL	78,448 s.f.		314				430

ANALYSIS

The applicant is proposing to add 1,103 square feet to an existing 3,430 Restaurant with Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) at 1031 South Rampart Boulevard. The proposed addition has necessitated the need for the subject Special Use Permit. The existing business has been in operation since 2006. The proposed addition of 1,103 square feet to the existing use is compatible with existing and surrounding land uses; therefore approval of the subject Special Use Permit is recommended.

FINDINGS

The following findings must be made for a Special Use Permit:

1. **“The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.”**

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The proposed expansion of the existing use is compatible with the SC (Service Commercial) land use designation and surrounding uses in the area.

2. **“The subject site is physically suitable for the type and intensity of land use proposed.”**

The proposed expansion of the existing Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) use will be located within an existing Shopping Center, which is physically suitable for the type and intensity of the land use proposed.

3. **“Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.”**

Access to the site is provided from Charleston Boulevard and Rampart Boulevard, which are both 100-foot Primary Arterials, as indicated on the Master Plan of Streets and Highways. Both are adequate to facilitate the traffic generated by the proposed expansion of the Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) use.

4. **“Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.”**

Approval of this Special Use Permit will not compromise the public health, safety, or welfare as the proposed Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) will be subject to regular inspections.

5. **The use meets all of the applicable conditions per Title 19.04.**

The proposed Beer/Wine/Cooler (On-and Off-Premise Sale Establishment) use meets all requirements as pursuant to Title 19.04.

ASSEMBLY DISTRICT 2

SENATE DISTRICT 8

NOTICES MAILED 430

APPROVALS 1

PROTESTS 1